



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,164	04/09/2007	Hansjoerg Meerpohl	2003P01977WOUS	4747

46726 7590 11/17/2008
BSH HOME APPLIANCES CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
100 BOSCH BOULEVARD
NEW BERN, NC 28562

EXAMINER

GRAVINI, STEPHEN MICHAEL

ART UNIT	PAPER NUMBER
----------	--------------

3743

MAIL DATE	DELIVERY MODE
-----------	---------------

11/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,164	Applicant(s) MEERPOHL ET AL.	
	Examiner Stephen M. Gravini	Art Unit 3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060622</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-19, 23, and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Janke (US 3,702,030). The claims are reasonably and broadly construed, in light of the accompanying specification, to be disclosed by Janke as comprising:

performing a drying program including a heating-up phase, a drying phase, and a cooling-down phase at column 7 lines 13-35;

performing an anti-crease cycle having alternating intervals including rotary movement time intervals, in which the drum is rotated to agitate the laundry, and stoppage time intervals, in which the drum stops rotating and the laundry is at rest, the duration of the rotary movement intervals decreasing in relation to the stoppage time intervals in response to an operating parameter at column 5 lines 18-48; or alternatively:

a housing **10**;

a drum **11** receiving the laundry and mounted for rotation with respect to the housing;

a motor **17** coupled to the drum for driving rotation of the drum;

an inlet duct **13** providing an air flow to the drum and a heating device selectively heating air in the inlet duct; an outlet duct receiving the air flow from the drum;

a control device **23** coupled to the motor and controlling rotation of the drum, the control device performing an anti-crease cycle including alternately rotating the drum during rotary movement time intervals and stopping rotation of the drum during stoppage time intervals, the control device decreasing the duration of the rotary movement intervals decreasing in relation to the stoppage time intervals in response to an operating parameter at column 5 lines 18-48. Janke also discloses the claimed operating parameter includes the length of time of the anti-crease cycle as shown in figure 3, act of detecting the temperature of the laundry with a sensor and the operating parameter includes a decrease in the temperature of the laundry at column 8 lines 31-56, act of detecting the residual moisture of the laundry with a sensor and the operating parameter includes a decrease in the residual moisture of the laundry at column 7 lines 13-35, act of detecting at least one of a quantity of laundry, a heating-up time, a laundry moisture, a laundry moisture profile, a laundry specific conductance, a profile of the laundry specific conductance, a moisture content and/or the moisture profile, a temperature of the laundry, a temperature profile of the laundry, a temperature of the drying air, a temperature profile of the drying air in the drum of the laundry dryer, a comparison of the moisture content, a moisture profile, a temperature of the drying air, a temperature profile of the drying air in the drum of the laundry dryer between entry into the drum and exit from the drum, and a time before reaching a drying target at column 8 lines 31-56, timing element providing a length of time of the anti-crease cycle to the

control device and the operating parameter including an increase in the length of time of the anti-crease cycle as shown in figure 3, temperature sensor detecting the temperature of the laundry and providing a temperature signal to the control device indicating the temperature of the laundry, the operating parameter including the temperature signal at column 8 lines 31-56, electrodes detecting a moisture level of the laundry and providing a moisture signal to the control device indicating the moisture level of the laundry, the operating parameter including the moisture signal at column 7 lines 13-35.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janke in view of St. Louis (US 2003/0097764). Janke discloses the claimed invention, as rejected above, except for the claimed user pre-selection. St. Louis, another dryer,

discloses that feature in the abstract. It would have been obvious to one skilled in the art to combine the teachings of Janke with the user pre-selection feature in order to allow various operator controls for different laundering requirements.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Janke in view of Park (US 2005/0252082). Janke discloses the claimed invention, as rejected above, except for the claimed step of detecting an amount of laundry. Park, another dryer, discloses that feature at paragraph [0049]. It would have been obvious to one skilled in the art to combine the teachings of Janke with the detecting an amount of laundry feature in order to allow various operator controls for different laundering requirements.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Janke in view of Worst (US 3,309,783). Janke discloses the claimed invention, as rejected above, except for the claimed step of reverse rotation. Worst, another dryer, discloses that feature at column 1 lines 14-60. It would have been obvious to one skilled in the art to combine the teachings of Janke with the reverse rotation feature in order to allow various operator controls for different laundering requirements.

Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janke. Janke discloses the claimed invention, as rejected above, except for the claimed stop time intervals with subsequent magnitudes. It would have been an obvious matter of design choice to recite that feature, since the teachings of Janke would perform the invention, as claimed, regardless of the recited time intervals and magnitude.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth B. Rinehart can be reached on 571 272 4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 13, 2008
/Stephen M. Gravini/
Primary Examiner, Art Unit 3743